

Atty. Docket No.: 102170-300

**REMARKS****A. Rejections Under 37 C.F.R. § 1.75(d)(1)**

The Examiner rejected claims 25 and 26 under 37 C.F.R. § 1.75(d)(1) as failing to provide proper antecedent basis for the claimed subject matter for the phrase "multitude of photodetectors."

By the amendments made above, claim 25 has been cancelled and claim 26 has been amended as follows: the phrase "multitude of photodetectors" has been deleted in favor of the phrase "plurality of photodetectors." The phrase "plurality of photodetectors" is clearly supported and has antecedent basis at page 7, lines 22-25 of the original specification. Accordingly, claim 26 is believed to be in condition for allowance.

**B. Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 19-24 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 4,585,349, issued to Gross et al., in view of U.S. Patent No. 5,512,760, issued to Horijon et al.

Claim 19 has been amended to better clarify the scope of the present invention and now includes a light source that is positioned to direct wavelengths of light at an object without any intermediate structures therebetween and positioned to direct wavelengths of light over an area of the object. As a result, the plurality of photodetectors in the present invention are able to simultaneously collect measurements related to an area of the object, e.g., in a scanning fashion.

In contrast, Gross et al. and Horijon et al. both teach methods and systems that focus light sources at single points along a measurement axis by first directing the light source at an intermediate object such as a lens. As a result, using a system taught or suggested by Gross et al. and Horijon et al., one would have to either reposition the light source or the object many times to collect data comparable to data collected using the present invention system without repositioning the light source or object, i.e., a single scanning operation using the present operation.

As follows, the combination of the Gross et al. and Horijon et al. references fails to teach or suggest the system claimed in amended claim 19. Accordingly, amended claim 19 is now believed to be in condition for allowance.

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**C. Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 25-29 and 31 under 35 U.S.C. § 103(a) as obvious over the Gross reference in view of the Horijon reference and further in view of U.S. Patent No. 5,850,289, issued to Fowler et al.

Claims 25-29 and 31 all depend from claim 19, which is believed to be in condition for allowance. Accordingly, for at least the same reasons claim 19 is believed to be allowable, claims 25-29 and 31 are also believed to be allowable.

**D. Summary**

In the present Office Action, claims 19-29 and 31 were examined. Claims 19-29 and 31 are rejected, no claims are objected to, and no claims are allowed.

By this Amendment, claims 19, 26, 27, and 29 are amended, claim 25 is cancelled, and no claims have been added. Accordingly, claims 19-24, 26-29, and 31 are presented for further examination. No new matter has been added. By this Amendment, claims 19-24, 26-29, and 31 are believed to be in condition for allowance.

Accordingly, Applicant submits that none of the references, alone or in combination, anticipates or makes obvious the invention as presently claimed and that the application is now in condition for allowance. Therefore, Applicant respectfully requests reconsideration and further examination of the application and the Examiner is respectfully requested to take such proper actions so that a patent will issue as soon as possible.

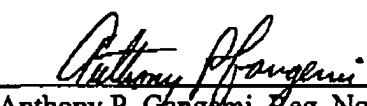
If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

Please apply any credits or charge any deficiencies to our Deposit Account No. 23-1665.

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Respectfully submitted,  
Daniel FREIFELD

Date: November 8, 2004

  
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